

HOUSE BILL 922

E2, D1

1lr1138

By: **Delegates Vallario, Proctor, and Wilson**
Introduced and read first time: February 11, 2011
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Victims’ Resource Center – Funding**

3 FOR the purpose of requiring the Governor’s Office of Crime Control and Prevention to
4 sustain a certain Victims’ Resource Center; requiring the Victims’ Resource
5 Center to perform certain functions; providing that funding for the Victims’
6 Resource Center shall be as provided in the annual State budget and shall be
7 used to supplement, but not supplant, certain other funding; requiring the
8 Governor’s Office of Crime Control and Prevention to submit a certain annual
9 report on the Victims’ Resource Center to the General Assembly on or before a
10 certain date; altering a certain cost that a court is required to impose on a
11 defendant convicted of a certain offense; altering the required distribution of
12 certain fees collected and including the Victims’ Resource Center as a recipient
13 of a certain portion of the fees; defining a certain term; and generally relating to
14 the Victims’ Resource Center.

15 BY adding to
16 Article – Criminal Procedure
17 Section 11–1006
18 Annotated Code of Maryland
19 (2008 Replacement Volume and 2010 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Courts and Judicial Proceedings
22 Section 7–409
23 Annotated Code of Maryland
24 (2006 Replacement Volume and 2010 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

27 **Article – Criminal Procedure**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 11-1006.

2 (A) IN THIS SECTION, "VICTIMS' RESOURCE CENTER" MEANS THE
3 MARYLAND CRIME VICTIMS' RESOURCE CENTER, INC.

4 (B) (1) THE GOVERNOR'S OFFICE OF CRIME CONTROL AND
5 PREVENTION SHALL SUSTAIN THE VICTIMS' RESOURCE CENTER.

6 (2) THE VICTIMS' RESOURCE CENTER SHALL:

7 (I) OPERATE A STATEWIDE, TOLL-FREE INFORMATION
8 SERVICE TO PROVIDE LEGAL AND OTHER INFORMATION TO CRIME VICTIMS AND
9 PROVIDERS OF SERVICES TO CRIME VICTIMS;

10 (II) PROVIDE INFORMATION, EDUCATIONAL MATERIALS,
11 AND TRAINING CONCERNING VICTIMS' LEGAL RIGHTS AND SERVICES;

12 (III) MAINTAIN A WEB SITE THAT INCLUDES INFORMATION
13 ABOUT VICTIMS' RIGHTS AND CONTACT INFORMATION FOR PROGRAMS AND
14 OFFICES PROVIDING ASSISTANCE TO VICTIMS;

15 (IV) ASSIST VICTIMS IN UNDERSTANDING AND EXERCISING
16 THEIR LEGAL RIGHTS, PROVIDE INFORMATION TO VICTIMS ABOUT THE
17 WORKINGS OF THE CRIMINAL AND JUVENILE JUSTICE SYSTEMS, AND DIRECT
18 VICTIMS TO APPROPRIATE LOCAL RESOURCES AND AGENCIES THAT CAN OFFER
19 FURTHER ASSISTANCE;

20 (V) COMPLEMENT THE EFFORTS OF STATE, LOCAL, AND
21 FEDERAL PROGRAMS, INCLUDING VICTIM-WITNESS PROGRAMS, SEXUAL
22 ASSAULT CENTERS, DOMESTIC VIOLENCE PROGRAMS, AND CHILD ADVOCACY
23 CENTERS; AND

24 (VI) COORDINATE WITH THE MARYLAND COMMUNITY
25 SERVICES LOCATOR TO MAKE INFORMATION REGARDING VICTIMS' SERVICE
26 PROVIDERS AVAILABLE.

27 (C) FUNDING FOR THE VICTIMS' RESOURCE CENTER SHALL BE AS
28 PROVIDED IN THE ANNUAL STATE BUDGET AND SHALL BE USED TO
29 SUPPLEMENT, BUT NOT SUPPLANT, FUNDING THAT THE CENTER RECEIVES
30 FROM OTHER SOURCES.

31 (D) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE GOVERNOR'S
32 OFFICE OF CRIME CONTROL AND PREVENTION SHALL SUBMIT A REPORT, IN

1 ACCORDANCE WITH § 2–1246 OF THE STATE GOVERNMENT ARTICLE, TO THE
2 GENERAL ASSEMBLY ON THE VICTIMS’ RESOURCE CENTER AS PART OF THE
3 REPORT REQUIRED UNDER § 11–915(B)(5) OF THIS TITLE.

4 **Article – Courts and Judicial Proceedings**

5 7–409.

6 (a) (1) In this section the following words have the meanings indicated.

7 (2) “Crime” means an act committed by a person in the State that is:

8 (i) A crime under Title 1, Subtitle 3, Title 3, Subtitle 7, or §
9 4–123.1 of the Agriculture Article;

10 (ii) A crime under Title 19, Subtitle 2 or Subtitle 3 of the
11 Business Regulation Article;

12 (iii) A crime under Title 14, Subtitle 29, § 11–810, or § 14–1317
13 of the Commercial Law Article;

14 (iv) A crime under § 3–218, § 3–305(c)(2), § 3–409(a) or (c), §
15 3–803(b), § 3–807(i), § 3–808(d), § 3–811(c), § 8–801, § 8–802, § 9–602(e), §
16 11–702(d)(8), § 11–703(e)(5)(iii), § 11–708(d)(7)(ii), § 11–711(h)(2), § 11–712(c)(6)(ii), §
17 11–715(g)(2), § 11–716(h)(2), § 11–723(b)(8), or § 11–726 of the Correctional Services
18 Article;

19 (v) A crime under the Criminal Law Article other than Title 8,
20 Subtitle 2, Part II or § 10–614;

21 (vi) A crime under the Criminal Procedure Article;

22 (vii) A crime under Title 5, Subtitle 10A of the Environment
23 Article;

24 (viii) A crime under § 5–503 of the Family Law Article;

25 (ix) A crime under Title 12, Subtitle 9 of the Financial
26 Institutions Article;

27 (x) A crime under Title 20, Subtitle 7 or § 21–259.1 of the
28 Health – General Article;

29 (xi) A crime under § 8–713.1, § 8–724.1, § 8–725.5, § 8–725.6, §
30 8–726.1, § 8–738.1, § 8–740.1, or § 10–411(b), as it relates to Harford County, or (d), as
31 it relates to Anne Arundel County or Caroline County, of the Natural Resources
32 Article;

1 (xii) A crime under Title 3, Subtitle 1 or Subtitle 5, Title 5,
2 Subtitle 1, Subtitle 2, Subtitle 3, or Subtitle 4, § 6–602, § 7–402, or § 12–701 of the
3 Public Safety Article;

4 (xiii) A crime under § 14–127 of the Real Property Article;

5 (xiv) A violation of the Transportation Article that is punishable
6 by imprisonment;

7 (xv) A crime under Article 2B, Title 22 or § 18–104 of the Code;

8 (xvi) A crime under Article 24, § 11–512, § 11–513, or § 11–514 of
9 the Code;

10 (xvii) A crime under Chapter 110–1 of the Code of Public Local
11 Laws of Caroline County;

12 (xviii) A crime under § 4–103 of the Code of Public Local Laws of
13 Carroll County;

14 (xix) A crime under § 8A–1 of the Code of Public Local Laws of
15 Talbot County; or

16 (xx) A crime at common law.

17 (3) “Offense” means a violation of the Transportation Article that is
18 not punishable by imprisonment.

19 (b) In addition to any other costs required by law, a circuit court shall impose
20 on a defendant convicted of a crime an additional cost of \$45 in the case.

21 (c) In addition to any other costs required by law, the District Court shall
22 impose on a defendant convicted of a crime an additional cost of \$35 in the case.

23 (d) In addition to any other costs required by law, a court shall impose on a
24 defendant convicted of an offense an additional cost of ~~[\$3]~~ \$5 in the case, including
25 cases in which the defendant elects to waive the right to trial and pay the fine or
26 penalty deposit established by the Chief Judge of the District Court by administrative
27 regulation.

28 (e) (1) All money collected under this section shall be paid to the
29 Comptroller of the State.

30 (2) The Comptroller shall deposit \$22.50 from each fee collected under
31 subsection (b) of this section from a circuit court and \$12.50 from each fee collected

1 under subsection (c) of this section from the District Court into the State Victims of
2 Crime Fund established under § 11-916 of the Criminal Procedure Article.

3 (3) The Comptroller shall deposit \$2.50 from each fee collected under
4 subsections (b) and (c) of this section into the Victim and Witness Protection and
5 Relocation Fund established under § 11-905 of the Criminal Procedure Article.

6 (4) The Comptroller shall deposit all other moneys collected under
7 subsections (b) and (c) of this section into the Criminal Injuries Compensation Fund
8 established under § 11-819 of the Criminal Procedure Article.

9 (f) (1) From the first ~~[\$500,000]~~ **\$750,000** in fees collected under
10 subsection (d) of this section in each fiscal year, the Comptroller shall deposit
11 ~~[one-half]~~ **ONE-THIRD** of each fee into the State Victims of Crime Fund ~~[and~~
12 ~~one-half]~~, **ONE-THIRD** of each fee into the Criminal Injuries Compensation Fund,
13 **AND ONE-THIRD OF EACH FEE INTO THE MARYLAND VICTIMS OF CRIME FUND**
14 **ESTABLISHED UNDER § 11-916 OF THE CRIMINAL PROCEDURE ARTICLE FOR**
15 **THE SUPPORT OF THE VICTIMS' RESOURCE CENTER ESTABLISHED UNDER §**
16 **11-1006 OF THE CRIMINAL PROCEDURE ARTICLE.**

17 (2) For fees collected under subsection (d) of this section in excess of
18 ~~[\$500,000]~~ **\$750,000** in each fiscal year, the Comptroller shall deposit the entire fee
19 into the Criminal Injuries Compensation Fund.

20 (g) A political subdivision may not be held liable under any condition for the
21 payment of sums under this section.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 July 1, 2011.